



09-15-03

17438

PATENT  
030403-4 (formerly T268.12-0040)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 1743

Examiner: Gordon

In re application of  
Neal et al.

Serial No.: 09/803,414

Filed: March 9, 2001

WATER AND SOIL AUTOSAMPLER

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INFORMATION DISCLOSURE STATEMENT

September 12, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Applicants, in accordance with the duty of disclosure pursuant to 37 C.F.R. § 1.56, hereby advise the United States Patent and Trademark Office of the references listed on the accompanying Form PTO/SB/08 *Information Disclosure Statement by Applicant* (substitute for Form 1449A/PTO). A copy of each of the cited references is herewith enclosed.

Express Mail Number ER524410202US

Date of Deposit September 12, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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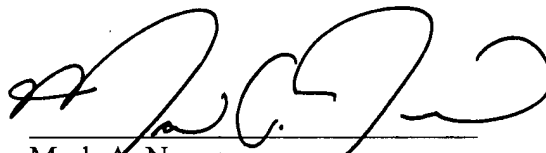
Patricia A. Mach

Applicants note that although the cited references may be relevant to the examination of the above-referenced application, under 37 C.F.R. § 1.97(h), the filing of this *Information Disclosure Statement by Applicant* "shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b)."

Applicants further note that the filing of this *Information Disclosure Statement by Applicant* is not an admission that the references cited herein constitute prior art under 35 U.S.C. §§ 102-103 with respect to the captioned application.

Pursuant to 37 C.F.R. § 1.97(c)(2), Applicants have included payment of the fee set forth in 37 C.F.R. § 1.17(p). Also, the Commissioner is hereby authorized to charge any additionally required fees necessary for consideration of this Information Disclosure Statement to Account No. 11-1110.

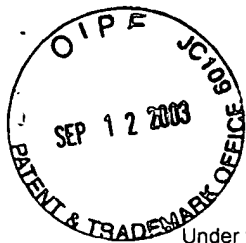
Respectfully submitted,



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PTO/SB/08A (10-01)

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|---|--|--------------------------|-------------------------|
|   |  | Application Number       | 09/803,414              |
|   |  | Filing Date              | March 9, 2001           |
|   |  | First Named Inventor     | Neal                    |
|   |  | Art Unit                 | 1743                    |
|   |  | Examiner Name            | Gordon                  |
|   |  | Attorney Docket Number   | 030403-4 (T268.12-0040) |

| U.S. PATENT DOCUMENTS |                       |   |                                |  |   |
|-----------------------|-----------------------|---|--------------------------------|--|---|
| Examiner Initials*    | Cite No. <sup>1</sup> | Document Number<br>Number - Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                       |                       | US2002/0094304 A1   | Jul 18, 2002                   | Yang et al.  |   |
|                       |                       | US2003/0003596 A1   | Jan 02, 2003                   | Pawliszyn  |   |
|                       |                       | US2002/0168778 A1   | Nov 14, 2002                   | Andrien, JR et al.                                 |   |
|                       |                       | 3,521,715   | Jul 28, 1970                   | Krutein  |   |
|                       |                       | 4,038,875   | Aug 02, 1977                   | Walkotten  |   |
|                       |                       | 4,310,057   | Jan 12, 1982                   | Brame  |   |
|                       |                       | 5,227,139   | Jul 13, 1993                   | Wong   |   |
|                       |                       | 5,945,070   | Aug 31, 1999                   | Kath et al.  |   |
|                       |                       | 5,948,360   | Sep 07, 1999                   | Rao et al.   |   |
|                       |                       | 6,042,787   | Mar 28, 2000                   | Pawliszyn  |   |
|                       |                       | 6,180,410 B1  | Jan 30, 2001                   | Gerstel et al.                                     |   |
|                       |                       | 6,447,728 B1  | Sep 10, 2002                   | Wilmes et al.                                      |   |
|                       |                       |   |                                |  |   |
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| FOREIGN PATENT DOCUMENTS |                       |   |                                |   |  |                |
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| Examiner Initials*       | Cite No. <sup>1</sup> | Foreign Patent Document<br>Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup><br>(if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited<br>Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
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|  |   | <b>Art Unit</b>             | 1743          |                               |                         |
|  |   | <b>Examiner Name</b>        | Gordon        |                               |                         |
| <b>Sheet</b>   | 2 | <b>of</b>                   | 2             | <b>Attorney Docket Number</b> | 030403-4 (T268.12-0040) |

| <b>NON PATENT LITERATURE DOCUMENTS</b> |                          |  |                |
|--|--------------------------|--|----------------|
| Examiner<br>Initials*                  | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T <sup>2</sup> |
|  |                          | United States Patent Application No. 09/803,405 filed March 9, 2001.<br>(Attorney Docket No. 030403-1)   |                |
|  |                          | United States Patent Application No. 09/803,407 filed March 9, 2001.<br>(Attorney Docket No. 030403-2)   |                |
|  |                          | United States Patent Application No. 09/803,412 filed March 9, 2001.<br>(Attorney Docket No. 030403-3)   |                |
|  |                          | United States Patent Application No. 09/803,721 filed March 9, 2001.<br>(Attorney Docket No. 030403-5)   |                |
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